IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

WSOU INVESTMENTS LLC, *Plaintiff* -v- **ARISTA NETWORKS, INC.,** *Defendants*	§ § § § § § § § § § §	**W-20-CV-01083-ADA**

CLAIM CONSTRUCTION ORDER

The Court held a *Markman* hearing on September 24, 2021. During that hearing, the Court provided its final constructions. The Court now enters those claim constructions.

SIGNED this 24th day of September, 2021.

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ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
"means for transmitting outgoing data frames over a wireless interface" U.S. Patent No. 7,409,715, Claim 17 Both parties proposed	Means plus function **Function**: transmitting outgoing data frames over a wireless interface via a transmitter **Structure**: the node 10 of a wireless network in accordance with the procedure set forth, e.g., in the specification at 3:64–4:4; 4:16–23; 4:26–27; 4:44–48; and FIGs. 1–2 as well as equivalents thereof	Means plus function **Function**: transmitting outgoing data frames over a wireless interface **Structure**: "antenna 12" in Figure 1 as well as equivalents thereof	Subject to § 112, ¶ 6 **Function**: transmitting outgoing data frames over a wireless interface **Structure**: node 10 and antenna 12, as shown in Fig. 1, and equivalents thereof

| "Chassis management module"

U.S Patent No. 8,472,447, Claims 1, 5, 12-14

Arista Proposed | Plain and ordinary meaning; no construction necessary. | Means plus function

Functions:
• receiving the snooping information via at least the external ports, storing the snooping information within the database and sharing the snooping information substantially in real-time with the remote aggregation switch via the VFL (claim 1)
• building respective forwarding vectors for multicast traffic flows received from the at least one network node via the external ports or the VFL ports based on the snooping information (claim 1)
• determining a multicast index for a received multicast traffic flow to set-up hardware paths for forwarding the received multicast traffic flow to the external ports in a virtual local area network (VLAN) that requested the received multicast traffic flow via the at least one edge node (claim 1)
• receiving a portion of the snooping information from the remote aggregation switch via the VFL (claim 5)
• building the forwarding vector for the receiving multicast traffic flow based on the multicast index (claim 12)
• allocating the multicast index for the received multicast traffic flow and | Not subject to § 112, ¶ 6. Plain-and-ordinary meaning. |

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
		sharing the multicast index with the secondary switch (claim 13) • receiving the multicast index from the primary switch (claim 14) **Structure**: Indefinite Alternatively, even if not means-plus-function, is still indefinite.	
"multicast index" U.S Patent No. 8,472,447, Claims 12-15 Both Proposed	Plain and ordinary meaning; no construction necessary. Alternatively, "a unique identifier assigned to an ingressing multicast flow." '447 Patent at 23:18–24.	"a unique identifier assigned to an ingressing multicast flow based on the IP source, the destination address and ingress VLAN that enables each port to determine whether or not to forward the multicast flow"	"a unique identifier assigned to an ingressing multicast flow"

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
"the network switching element" U.S Patent No. 9,450,884, Claims 17, 20 Arista proposed	Plain and ordinary meaning; no construction necessary.	Indefinite	Not indefinite. The preamble of Claim 17 is not limiting except for "edge switch," as it provides antecedent basis for the claim term. The preamble of Claim 20 is not limiting except for "aggregation switch," as it provides antecedent basis for the claim term. Plain-and-ordinary meaning.